

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

**IN RE THE APPLICATION OF
REPORTERS COMMITTEE FOR
FREEDOM OF THE PRESS FOR
ACCESS TO CERTAIN SEALED COURT
RECORDS**

Case No. 1:17-mc-00002-LMB-IDD

Related to:
Criminal No. 1:12-cr-00127-LMB
1:12-mj-00033-JFA

JOINT STIPULATION OF DISMISSAL

On January 23, 2017, the Reporters Committee for Freedom of the Press (the “Reporters Committed”) filed an application seeking the unsealing of certain court records related to the completed criminal investigation and prosecution of John C. Kiriakou, Case No. 1:12-cr-00127. *See* ECF No. 1. In response, the United States (the “Government”) moved to unseal a search warrant, the application for the search warrant, the affidavit in support of the application for the search warrant, and the sealing motion and order (collectively, the “Search Warrant Materials”), all of which were filed in case number 1:12-sw-38 in this Court. *See* ECF No. 6. The Government filed redacted versions of the unsealed Search Warrant Materials as an attachment to its Supplemental Response to the Reporters Committee’s application; however, two pages of the original sealing motion filed by the Government in case number 1:12-sw-38 were omitted. *See* ECF No. 6-1. Shortly thereafter, the Government filed in the docket of this case the complete original sealing motion filed by the Government in case number 1:12-sw-38.

The Government has stated that, following a diligent search of its files in this case, the Search Warrant Materials are the only items it has identified as having been filed in this Court that are responsive to the Reporters Committee's application and over which this Court has jurisdiction to unseal. *See* ECF No. 6. The Government has informed the Reporters Committee that additional records responsive to its application were filed in the U.S. District Court for the District of Columbia.

The Reporters Committee has chosen not to challenge the redactions made to the unsealed Search Warrant Materials. Accordingly, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties hereby stipulate to the voluntary dismissal of the above-captioned matter without prejudice.

Dated: March 23, 2017

SEEN AND AGREED:

Respectfully submitted,

Dana J. Boente
United States Attorney

By: /s/
W. Neil Hammerstrom, Jr.
Assistant United States Attorney

 /s/ Caitlin Vogus
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CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of March 2017, I filed the foregoing with the Clerk of Court using the CM/ECF system, which will send an electronic notification to all counsel of record.

/s/ Caitlin Vogus

Caitlin Vogus

VA Bar No. 81054

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